UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In The Matter Of:

9 THE COMPLAINT OF CORINTHIAN
YACHT CLUB OF SEATTLE, INC., as
owner and operator of THE CORINTHIAN
YACHT CLUB for Exoneration from or
Limitation of Liability,

Petitioner.

IN ADMIRALTY

NO. C07-1672RSM

ORDER APPROVING SUM AND SECURITY SUBMITTED FOR LIMITATION AND COSTS, DIRECTING MONITION AND ISSUING INJUNCTION

WHEREAS, it satisfactorily appears to the above-entitled Court:

1. That Corinthian Yacht Club of Seattle, Inc., as owner and operator of the vessel CORINTHIAN YACHT CLUB, has duly filed its Complaint for Exoneration from or Limitation of Liability, therein praying for (a) the acceptance and approval of the deposit for cost by the Court; (b) the acceptance and approval of the Letter of Undertaking as security for limitation by the Court; (c) due issuance of the usual Monition to and against all persons making claim for any damage, loss, or injury to person(s) or property arising or resulting from the April 15, 2007 incident, (d) due public notice to all persons of such Monition according to all applicable rules, and (e) issuance of an injunction restraining both the institution and further prosecution of any and all suits or actions or other proceedings of any character whatsoever in any Court whatsoever (excepting this proceeding) against Corinthian Yacht Club of Seattle, Inc. based on or connected with any claim or claims directly or indirectly related to the April 15, 2007 described in the Complaint.

ORDER APPROVING SECURITY,
DIRECTING MONITION, ISSUING INJUNCTION - 1
Case No.

ATTORNEYS AT LAW
BAUER MOYNIHAN & JOHNSON LLP
2101 FOURTH AVENUE - Suite 2400
SEATTLE, WA 98121-2320
(206) 443-3400

2. That with the Complaint, Corinthian Yacht Club of Seattle, Inc. has also filed a Notice of Value, submitted for costs the sum of \$500, and submitted as security for limitation a Letter of Undertaking in the amount of \$628,424.

ORDER

THEREFORE, on motion on behalf of Corinthian Yacht Club of Seattle, Inc., appearing through its attorneys of record, Bauer Moynihan & Johnson LLP, this Court hereby enters its order as follows:

- 1. That said Letter of Undertaking in the amount of \$628,424, as duly filed, be now adjudged in all respects adequate and proper, it is hereby ordered and accepted, subject to further order of this Court, as security for limitation herein.
- 2. That the sum submitted for costs in the amount of \$500, as duly filed, be now adjudged in all respects adequate and proper, it is hereby ordered and accepted, subject to further order of this Court, as a deposit for costs herein.
- 3. That a Monition of this Court in due form according to its practices and complying with the applicable Federal Rules of Civil Procedure shall be issued by the Clerk forthwith against all persons claiming damages for any damage, loss, or injury of person or property arising or resulting from April 15, 2007 citing them and requiring each of them to file their respective claims with the Clerk of this Court and to serve on or mail to the attorney for Corinthian Yacht Club of Seattle, Inc., Thomas G. Waller, Bauer Moynihan & Johnson LLP, 2101 Fourth Avenue, Suite 2400, Seattle, Washington 98121, a copy thereof before or on the return date specified in said Monition being the 26th day of November, 2007, or other date not less than thirty (30) days after the issuance of said Monition unless for cause shown the return date is deferred by order of this Court.
- 4. That public notice of this Complaint shall be given by the United States Marshal by publication of such notice once each week for four (4) consecutive weeks before the return date

in the Seattle Daily Journal of Commerce as prescribed by Supplementary Admiralty Rule F of the Federal Rules of Civil Procedures and LAR 150. 5. That an injunction is hereby issued prohibiting, restraining, and staying both the institution and the further prosecution of any and all suits or actions or other legal proceedings of any character whatsoever in any court whatsoever (except only in this proceeding and this Court), against Corinthian Yacht Club of Seattle, Inc. based on or connected with any claim directly or indirectly related to the April 15, 2007 as described in the Complaint. 6. That service of this order as restraining order shall be made within this District in the usual manner and in any other District by delivering a certified copy of this order to the person or persons to be restrained, or to their respective attorneys or representatives. DATED this 26th day of October, 2007. RICARDO S. MARTINEZ UNITED STATES DISTRICT JUDGE Presented By: BAUER MOYNIHAN & JOHNSON LLP /s/ Thomas G. Waller James P. Moynihan, WSBA No. 9358 Thomas G. Waller, WSBA No. 22963 Attorneys for Petitioner

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